

REMARKS

Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 are pending. Claims 5, 7, 12-14, 18-19, 21-24 and 28 were previously canceled. Claims 1, 6, 8-10, 15, 25, and 29-35 are amended herein. No new matter has been added as a result of these amendments.

Claim 9 was amended to address an informality. Support for amendments to Claims 8, 15, 25, and 34 can be found at least at page 11, lines 11-14; page 6, lines 23-28; page 4, lines 20-26; Figure 1, Figure 2, and Figure 5A of the above-identified patent application. Support for the amendments to Claims 1, 6, 10, and 29 can be found at least in Figure 6, blocks 608 and 616; and at page 12, line 10 - page 14, line 13. Support for amendments to Claims 29-35 can be found at least in memory 206 of Figure 2, memory 306 of Figure 3, and memory 406 of Figure 4.

AMENDMENT TO SPECIFICATION

As noted above, a replacement paragraph has been provided to correct an informality noted within the specification. No new matter has been added by this amendment

CLAIM REJECTIONS - 35 U.S.C. §112

The instant Office Action states that Claim 9 is rejected under 35 U.S.C. §112 as being indefinite. In particular, the instant Office Action indicates that Claim 9 is rejected under 35 U.S.C. §112 due some confusion as to what the recited language means.

Applicants have amended Claim 9 to clarify the language therein, and respectfully submits that this amendment has resolved overcomes the 35 U.S.C. §112 rejection.

CLAIM REJECTIONS - 35 U.S.C. §103(a)

The instant Office Action states that Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kaufman et al. (U.S. Patent No. 5,081,678; hereinafter “Kaufman”) in view of Droge (U.S. Patent Application Publication No. 2002/0004898 A1). Applicants have reviewed the cited art and respectfully submit that the embodiments as recited in Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 are patentable over Kaufman in view of Droge for at least the following rationale.

Independent Claim 1, and similarly independent Claims 6, 10 and 29, recites the features (emphasis added):

A method of transmitting secured data, the method comprising:
utilizing a first key to encrypt a payload;
adding a header to the encrypted payload to form a data packet;
utilizing a second key to encrypt the first key;
utilizing a third key to encrypt the data packet;
transmitting the encrypted first key to a wireline device in a first transmission from a wireless device, wherein the wireline device decrypts the encrypted first key;
transmitting the encrypted data packet over a wireless link to a gateway in a second transmission from the wireless device, wherein the gateway decrypts the encrypted data packet to recreate the encrypted payload and the header, and forwards the encrypted payload and the header to the wireline device over an open network; and
utilizing the wireline device and the first key from the first transmission to decrypt the encrypted payload.

Applicants respectfully submit that Kaufman in view of Droge fails to teach or suggest each and every element of Claim 1, and similarly of Claims 6, 10 and 29. Moreover, Applicants submit that Kaufman in view of Droge teaches away from Applicants Claims 1, 6, 10, and 29.

Per Applicants' understanding, nothing in Kaufman teaches or suggests

“transmitting the encrypted first key to a wireline device in a first transmission from a wireless device... transmitting the encrypted data packet over a wireless link to a gateway in a second transmission from the wireless device... and; utilizing the wireline device and the first key from the first transmission to decrypt the encrypted payload,”

as is recited in Claim 1 and similarly in Claims 6, 10, and 29. To the contrary, per Applicants' understanding, Kaufman teaches away from Applicants' Claim 1, 6, 10, and 29 by requiring the key and the payload to always be included together in the same message, rather than being sent separately. For example, Kaufman indicates, “[e]ach time two nodes communicate, the sending node places the receiving node's encrypted version of the shared key in the data packet transmitted,” col. 3, lines 21-35 of Kaufman.

Applicants submit that Droge does nothing to remedy the deficiency noted with respect to Kaufman. Moreover, even if Droge were used to modify Kaufman in an attempt to remedy the above described deficiency of Kaufman, Applicants submit that such modification of Kaufman in view of Droge would significantly change the principle of operation of Kaufman from a system/method which requires incorporating the receiving node's encrypted version of the shared key in the data packet transmitted to the receiving node to a system/method where the encrypted version of the shared key and the

data packet are sent as separate messages. In addition to changing Kaufman's principle of operation, Applicants submit that such a change would likely render Kaufman unsuited for some or all of Kaufman's intended purposes, such as, integrity checking of a transmitted data packet based upon the receiving node's encrypted version of the shared key being included in the transmitted data packet (see, e.g., col. 3, lines 36-33 of Kaufmann).

For at least the foregoing rationale, Applicants respectfully submit that Claim 1, and similarly Claims 6, 10 and 29, is not rendered unpatentable over Kaufman in view of Droge under 35 U.S.C. §103(a). As such, allowance of Claims 1, 6, 10 and 29 is respectfully requested.

Applicants submit that Claims 2-4, 20, 25 and 26 depend from allowable independent Claim 1, and recite further features. Applicants submit that Claims 8, 9 and 27 depend from allowable independent Claim 6, and recite further features. Applicants submit that Claims 11 and 15-17 depend from allowable independent Claim 10, and recite further features. Applicants submit that Claims 30-35 depend from allowable independent Claim 29, and recite further features. Therefore, Applicants respectfully submit that Claims 2-4, 8, 9, 11, 15-17, 20, 25-27 and 30-35 overcome the rejections under 35 U.S.C. §103(a), and that these claims are thus in a condition for allowance as being dependent on an allowable base claim. As such, allowance of Claims 2-4, 8, 9, 11, 15-17, 20, 25-27 and 30-35 is respectfully requested.

Moreover, with respect to Claims 8, 15, 25, and 34, Applicants submit that neither Kaufman nor the combination of Kaufman in view of Droge teaches or suggests “...wherein the data packet includes GPS location information obtained by the wireless device and associated with a geographical location of the wireless device,” as is recited in Claim 25 and similarly in Claims 8, 15, and 34. Instead, per Applicants’ understanding both Kaufman and Droge are silent with respect to GPS location information, a wireless device that obtains GPS information associated with a geographical location of the wireless device, and “...wherein the data packet includes GPS location information obtained by the wireless device and associated with a geographical location of the wireless device.”

As the cited art is silent with respect to the above noted feature and as the Rejection provides no rationale which would explain or resolve the above noted differences in between the cited art and the features of Claims 8, 15, 25, and 34, Applicants submit that, in and of themselves, Claims 8, 15, 25, and 34 also overcome the rejection under 35 U.S.C. §103(a) to Kaufman in view of Droge, and are in condition for allowance.

CONCLUSION

In light of the above-listed remarks, reconsideration of the rejected claims is requested. Based on the amendments and arguments presented above, it is respectfully submitted that Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 overcome the rejections of record. Therefore, allowance of Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 is respectfully solicited.

Should the Examiner have a question regarding the response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,
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